



PC AGENDA: 2/27/02
ITEM:

Memorandum

TO: PLANNING COMMISSION

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: February 10, 2002

COUNCIL DISTRICT: 10

SUBJECT: VACATION OF A PORTION OF A PUBLIC SERVICE EASEMENT ON THE FORMER BARONI AVENUE BETWEEN CAPITOL EXPRESSWAY AND VISTAPARK DRIVE

BACKGROUND

This is a request to vacate a 20-foot-wide portion of a 40-foot-wide Public Service Easement on the former Baroni Avenue between Capitol Expressway and Vistapark Drive. This vacation will facilitate development of an approved Planned Development Rezoning (File No. PDC01-02-028) to allow up to 357 residential units on the property located at the northwest corner of Capitol Expressway and Vistapark Drive which was approved on December 18, 2001 by the City Council.

The original intent of the easement was to facilitate service to public utilities within the city right-of-way on Baroni Avenue. Baroni Avenue has been previously abandoned and this portion of the easement is no longer necessary. The other half of the 40-foot-wide easement is being retained to allow maintenance of existing overhead PG&E lines.

The Department of Public Works has reviewed the application and recommends that the request be approved. In addition, all concerned departments and utilities have been contacted and have not expressed any opposition to this proposal. Staff recommends that this request be approved.

This vacation and the project that it facilitates are in conformance with the adopted San José 2020 General Plan Land Use/Transportation Diagram.

CEQA

The environmental impacts of this project were addressed by a Mitigated Negative Declaration that was adopted by the Director of Planning, Building, and Code Enforcement on December 12, 2001 (City File No. PDC01-02-028).

RECOMMENDATION

Planning Staff recommends approval of the vacation, to the satisfaction of the Director of Public Works.

JOSEPH HORWEDEL, ACTING DIRECTOR
Planning, Building and Code Enforcement

